



CITY OF EUREKA
PUBLIC WORKS DEPARTMENT

531 K Street • Eureka, California 95501-1146 • Fax 707-441-4202
Administration: 707-441-4203 • Engineering: 707-441-4194
Building: 707-441-4155 • Utility Operations: 707-441-4364
publicworks@ci.eureka.ca.gov • www.ci.eureka.ca.gov

October 19, 2018

Mr. Rick Harris
Pacific Choice Seafood
1 Commercial Street
Eureka, CA 95501

RE:

- (1) NOTICE OF VIOLATION**
- (2) INVOICE FOR DAMAGE CAUSED BY ILLICIT DISCHARGE**
- (3) ISSUANCE OF ADMINISTRATIVE CITATION**
- (4) COMPLIANCE ORDER**

Dear Mr. Harris,

On October 4th 2018, sewer collections personnel responded to an alarm at the Commercial Street sewer lift station. The control panel indicated a "moisture" alarm on one of the submersible Flygt pumps which is indicative of a failed internal seal allowing moisture into the motor compartment of the unit which often results in catastrophic failure. After confirming that the pump had failed, a new pump was installed which upon startup, sucked debris from the wet well into the pressure main causing the downstream check valve to jam in the open position. This check valve then had to be isolated and disassembled to clear the blockage which was found to consist of a plastic mechanical screw plug and large oyster shells (see ATTACHMENT 1). The bottom of the wet well was also cleaned during this procedure and more whole oyster shells were found in the bottom of the well.

On October 5th, David Adams, the City's Source Control Inspector, performed an inspection of your facility. During the investigation, the Source Control Inspector and facility staff discovered that a screen designed to prevent oyster shells and other debris from discharging to the City's system was not in place. It had been placed in the discharge trough perpendicular to its intended design allowing excessive amounts of large oyster shell waste including full sized shells to discharge to the sanitary sewer system. A yellow plastic cap similar to the one discovered in the check valve was also observed in a concrete sump area below the oyster discharge point (see ATTACHMENT 2).

On October 11, 2018, the Source Control Inspector was again called to the Commercial Street lift station. Gloves and product labels consistent with ones used at your facility were visible in the lift station discharge.

Notice of Violations (NOVs) dated October 31, 2016, August 17, 2017, and September 19, 2017 were previously issued to Pacific Choice Seafood Company for releasing incompatible solid materials including gloves, company product labels, and shrimp shells to the sanitary sewer (see ATTACHMENT 3). In each of these cases, Pacific Choice Seafood Company representatives stated that they believed

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personnel were removing screens meant to capture the larger solid materials and allowing the solids to discharge to the City's system.

While we understand that you are currently working on additional treatment measures that would prevent plant personnel from being able to bypass treatment process designed to prevent illicit discharges of materials into the public system (Permit B18-0662), the recurring nature of this problem and the magnitude of the damage to public facilities in this most recent (October 4th) incident require additional action.

Accordingly, an invoice for our time and material costs of responding to this incident and the subsequent follow up, including the cost of replacing the sewer pump is included with this notice of violation (see ATTACHMENT 4). Payment in full is due within 30 days of the date of this notice. Failure to do so will result in the assessment of additional penalties and interest charges.

You are also being issued an administrative citation in the amount of \$1000 pursuant to Eureka Municipal Code Section 50.123(F) (see ATTACHMENT 4).

You are hereby ordered to cease and desist from any and all activities resulting in illicit discharges of solids and other materials in violation of your wastewater discharge permit and the City's sewer use regulations. A copy of your wastewater discharge permit is attached for your reference. In order to show compliance with your permit and applicable regulations, you are hereby required within thirty (30) days to submit to the Director of Public Works a written compliance plan stating specific actions that you will take to prevent future incidents of this type from happening including:

- Timeline for installation of a robust, tamper-proof, pre-treatment system to remove oyster and shrimp shells, sand, and other solids from your waste stream prior to discharge to the public system.
- A plan for training of plant personnel regarding practices and systems designed to prevent illicit discharges to the public sewer system.
- Locking of grates, drain screens and other devices intended to prevent large debris from entering into the sewer system to prevent tampering by employees

Attached is a Notice of Violation (NOV) (see ATTACHMENT 6) regarding Wastewater Discharge Permit #37. Please be advised that Pacific Choice Seafood must fully comply with all terms stated in this Notice. Your cooperation in resolving this matter is greatly appreciated. Please contact me at (707) 441-4290 if you have any questions or concerns regarding the Notice.

Sincerely,

Brian Issa
Deputy Director of Public Works – Field Operations

Attachments:

- (1) Photos of debris retrieved from sewer pump and check valve
- (2) Photos taken during the October 5th inspection of Pacific Choice Seafood
- (3) Previous Notices of Violation dated 10/31/16, 8/17/17, and 9/19/17
- (4) Invoice for damage to public infrastructure
- (5) Administrative Citation
- (6) Notice of Violation

Cc: Source Control, Brian Gerving - Public Works Director

PACIFIC CHOICE SEAFOOD
NOTICE OF VIOLATION

LEGAL AUTHORITY

The following Findings are made and Order issued pursuant to the authority vested in the City of Eureka City Manager under the City of Eureka Municipal Code (EMC) Title 5, Chapter 50, Sewers. This Order is based on findings of violation of the conditions of the Wastewater Discharge Permit issued under Section 50.051 of the City's Municipal Code.

FINDINGS

- 1) The City of Eureka owns and operates a Publicly Owned Treatment Works which could be adversely impacted by discharges from Pacific Choice Seafood and other industrial users, and has implemented a pretreatment program to control such discharges.
- 2) Under this pretreatment program Pacific Choice Seafood was issued Wastewater Discharge Permit Number 37 on October 3, 2014 that contains prohibitions, restrictions, limitations and self-monitoring requirements related to the discharge of wastewater to the sanitary sewer.
- 3) Pursuant to the EMC and the above-referenced permit, data on the compliance status of Pacific Choice Seafood is collected by the City of Eureka.
- 4) This data shows that Pacific Choice Seafood has violated EMC Section 50.020(B), 50.055 and Wastewater Discharge Permit Number 37 in the following manner: Solid waste greater than one inch in any dimension was improperly disposed of and/or bypassed pretreatment screening controls and entered the sanitary sewer. Part 1(K) of Wastewater Discharge Permit # 37 for Pacific Choice Seafood Company states that "Operational controls, such as floor drain grates and P-trap covers, shall be used to prevent carcasses, fish skins and any other solid debris greater than one inch in any dimension from entering the sanitary sewer." City of Eureka Municipal Code Chapter 50 part 50.020(B)(3) states "No person may contribute the following substances to the POTW: Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference, but in no case solids greater than one-inch or 25.4 millimeters in any dimension."
- 5) Facility representatives have stated on numerous occasions that a project is in the works to direct all process water to the wastewater pretreatment system therefore eliminating the possibility of sending this type and dimension of material to the City's system. A written response dated September 20, 2017 reads "As stated previously, we are currently working with our corporate engineers and Brian Gerving, Director of Public [Works] for the City of Eureka, on diverting all plant production water to our waste water treatment plant, where we will be able to capture all foreign material before being released to the city."

PACIFIC CHOICE SEAFOOD IS HEREBY NOTIFIED THAT:

- 1) It is in violation of Wastewater Discharge Permit Number 37 and the Sewer Use Ordinance of the City of Eureka.
- 2) It is required to **notify this office in writing** within seven (7) working days of receipt of this Notice of the reason for the wastewater discharge violation and a written response to this Notice which at a minimum addresses the following points:
 - Additional measures the permittee shall take to eliminate the possibility of solid waste material greater than one inch in any dimension from discharging to the City's sanitary sewer system in the interim time between now and the implementation of the project expressed in Finding 5 above.

- A projected timeline for implementation of the plan expressed in Finding 5 above. The timeline must state a deadline for submitting detailed waste plumbing plans showing the new flow path from all drains in the facility to the pretreatment system and ultimately the outfall to the City sewer system.
- 3) Failure to respond within the time frames indicated will constitute a further violation of the Sewer Use Ordinance and may subject Pacific Choice Seafood to administrative fines in the amount of one thousand dollars (\$1000) per day per violation in accordance with section 50.123 (F) of the EMC.
 - 4) All future incidents which cause damage to public infrastructure or require the attention of City staff will be invoiced to you for payment and additional administrative citations will be assessed.

This notice is effective upon the date issued.

Correspondence regarding this notice shall be sent to:

City of Eureka
Attn: Brian Issa – Public Works
501 K Street
Eureka, CA 95501
bissa@ci.eureka.ca.gov

Pacific Choice destruction by lift station Commercial st. 10/4/2000 - pump rebuild



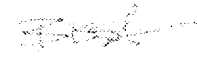
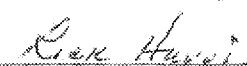
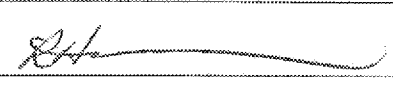


CITY OF EUREKA
PUBLIC WORKS DEPARTMENT
531 K Street Eureka, CA 95501-1146
(707) 441-4155

CITATION NO: 18-014

705910

*****ADMINISTRATIVE CITATION*****

| | | | | |
|--|---|--|--|---------------------------------|
| VIOLATION DATE October 4 2018 | TIME Continuing | SERVICE DATE October 25, 2018 | <input type="checkbox"/> In Person <input checked="" type="checkbox"/> Mailed | CASE NO. ID18-0003 |
| NAME: Pacific Coast Seafood | | | | |
| ADDRESS: 1 COMMERCIAL STREET Eureka CA 95501 | | | | |
| LOCATION OF VIOLATION: 1 COMMERCIAL ST EUREKA CA 95501 | | | | |
| VIOLATIONS | | | | |
| CODE SECTION EMC 50.123(F) | CONTINUING VIOLATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | CORRECTION DUE Immediately | FINE AMOUNT \$1000 | FINE DUE DATE 30 days |
| DESCRIPTION OF VIOLATION Illicit discharge of oyster debris and other materials to the public sewer system in violation of Discharge Permit #37 resulting in damage to public infrastructure | | | | |
| CODE SECTION | CONTINUING VIOLATION? <input type="checkbox"/> Yes <input type="checkbox"/> No | CORRECTION DUE | FINE AMOUNT | FINE DUE DATE |
| DESCRIPTION OF VIOLATION | | | | |
| CODE SECTION | CONTINUING VIOLATION? <input type="checkbox"/> Yes <input type="checkbox"/> No | CORRECTION DUE | FINE AMOUNT | FINE DUE DATE |
| DESCRIPTION OF VIOLATION | | | | |
| CODE SECTION | CONTINUING VIOLATION? <input type="checkbox"/> Yes <input type="checkbox"/> No | CORRECTION DUE | FINE AMOUNT | FINE DUE DATE |
| DESCRIPTION OF VIOLATION | | | | |
| I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND EXECUTED ON THE DATE SHOWN ABOVE AT EUREKA, CALIFORNIA | | | | |
|  | | <i>Signature of Enforcement Officer</i> | | |
| PRINTED NAME OF ENFORCEMENT OFFICER Brian Issa, Deputy Director of PW | | NAME OF CONTACT DEPARTMENT AND PHONE # City of Eureka Building Division # 441-4290 | | |
| "Without admitting responsibility, I hereby acknowledge receipt of this administrative citation" | | | | |
|  | | <i>Signature of Cited Person, if available</i> | | |
| PRINTED NAME OF CITED PERSON | |  | | |
| FOR OFFICE USE ONLY: | | | | |

MAKE CHECKS PAYABLE TO: City of Eureka